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09/505,646	02/16/2000	Scott C. Harris	10824/011001	7376

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EXAMINER

NGUYEN, CAO H

ART UNIT PAPER NUMBER

2173

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/505,646

Applicant(s)

HARRIS, SCOTT C.

Examiner

Cao (Kevin) Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 85-90, 96-107 and 116-124 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 85-90, 96-107 and 116-124 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 85-90, 96-107 and 116-124 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danneels in view of Robertson et al. (US Patent No. 6,489,895).

Regarding claim 85, Robertson discloses a method, comprising in a sever of a network, storing a plurality of images representing pages of a book said images stored with a resolution effective to enable said book to be read (see col. 4, lines 1-61); responsive to a request over the network, sending one of said images to a remote node (see col. 7, lines 1-33); however, Robertson fails to explicitly teach determining the request for pages exceeds a certain threshold, and sending said information only if said threshold is not exceeded.

Daneels teaches determining the request for pages exceeds a certain threshold, and sending said information only if said threshold is not exceeded (see col. 3-4, lines 1-67). It would have been obvious to one of an ordinary skill in the art at the time the invention was made to provide determining the request for pages exceeds a certain threshold, and sending said information only if said threshold is not exceeded as taught by Daneels to the WebBook of Robertson in order to enhance a user friendly and enabling users to download a limited book page over the network.

Regarding claim 86, Robertson discloses wherein said images are classified according to whether they count towards said threshold. and incrementing a counter only when an image lat counts towards said threshold is requested (see col. 2, lines 23-67).

Regarding claims 87-90, Robertson discloses wherein said determining comprises storing information indicative of an amount of reading into a computer file; and wherein said computer file is a cookie (see figures 1-2).

Claim 96, differs from claim 85 in that “information about which of a specified plurality of images to be displayed, each of specified plurality of images showing textual information and at least a plurality of said images showing non-textual information, said textual. information representative of contents of a book; displaying said images responsive to said requests; displaying a screen tip, indicating what the reaction will be to a specified operation (see col. 7, lines 41-60) which read on Robertson.

Regarding claim 97, Robertson discloses commanding an opening of the book to see an inside of the book (see figures 3-4).

Claim 98, differs from claims 85 and 96 in that “each of specified plurality of images showing textual information and at least a plurality of said images showing non-textual information, said textual information representative of contents of a book, displaying said images responsive to said requests, and wherein each of said images a graded resolution, which provides readable resolution for readable pads and a different resolution for non-readable parts” which read on Robertson; see col. 8, lines 3-59.

As claims 100-104 are analyzed as previously discussed with respected to claims 96-98 above.

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Claim 105, differs from claims 85, 96 and 98 in that “requesting a page of a book on a client of the Internet; determining, in a server of the Internet, if more than a specified number of pages of said book have been requested by a specified user; and sending said page only if the specified number of pages does not exceed a threshold” which read on Danneels; see col. 5, lines 1-22).

As claims 106-107, 116-19 and 121-124 are analyzed as previously discussed with respect to claims 85-105 above.

### ***Response to Arguments***

1. Applicant's arguments filed on 01/31/05 have been fully considered but they are not persuasive.

In response to applicant's argument on pages 2-3 that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Robertson discloses a server of a network, storing a plurality of images representing pages of a book used in combination of Danneel's status conditions of the webpage. One skilled in the art would have been obvious to provide determining the request for pages exceeds a certain threshold, and sending information only if threshold is not exceeded as taught by Danneels to the WebBook of Robertson in order to enhance a user friendly and enabling users to download a limited book page over the Internet.

On pages 3 and 4 of the remarks; Applicant argues that the combination of Robertson and Danneel do not teach or suggest “if the request pages exceeds a certain threshold or based on the number of pages which have been requested”. However, the limitations as claimed set forth to read on Danneel “Alternatively, the conditions for each web page set may be dependent on the status of factors internal to the server such as the current processing load of the server. In this example, if the load of the server is light, the server allows transfer of web pages with large amounts of information or large files (such as for full motion video). If the load of the server is heavy, the server allows only the transfer of selected portions of web pages that are smaller in size (such as still images), along with a message to the user to try again later. A browser program executing on a client system and operated by a user is employed to access web pages; see col. 3, lines 19-54.

On pages 3 and 4 of the remarks; Applicant argues that the combination of Robertson and Danneel do not teach or suggest “images are classified about whether the count toward to the threshold or not”. However, the limitations as claimed set forth to broadly read on “Variations on this would limit the number of relative links traversed. This list of pages will be in the order that they would appear in the book. Next, page objects for each web page are generated. A page object is the internal representation of a web page for use in the book metaphor. Page objects and their contents are described in greater detail below. Next, the WebBook is generated from the page objects. The WebBook has a basic structure which lists the pages and provides various controls. When a user opens the WebBook it is rendered by the computer controlled display

system and displayed on a display. The first time the book is opened, the cover will be displayed, or alternatively a first page (depending on whether the book has a cover).

Subsequent instances of opening the book will cause it to be opened at the point where it was last closed. As will be described in detail below, only those pages corresponding to a particular page in a book are visible. Other page objects are marked as not displayed. The user then traverses the WebBook using page turning operations and marking interesting pages until they are done viewing or using the WebBook. The page turning operations are animated so as to give the user a sense of an actual page turning. When they are done, the page in the WebBook last open is marked in the WebBook, and WebBook is closed. Optionally, the WebBook may be stowed. Stowing the WebBook is equivalent of putting a book on a bookshelf. WebBooks themselves may be organized as collections and stored as icons on a bookshelf. This would permit the storing of multiple WebBooks each having their own related subject. WebBooks may also be transferred and used by other users. Finally, pages may be added to a WebBook. This would require creation of a page object(s) for the added page(s) and regeneration of the WebBook; see Robertson col. 5, lines 38-65.

On page 5 of the remarks; Applicant argues that the combination of Robertson and Danneel do not teach or suggest "moving a position of viewing". However, the limitations as claimed set forth to broadly read on Robertson "Book control buttons are presented at the bottom edge of the WebBook. A close button provides for closing the book. A back button

provides for looking at a prior page. A history button provides for reviewing the history of pages looked at. A mark button provides for creating a bookmark for a page being viewed. Such a bookmark is illustrated in FIG. 3 indicating that page has been marked. A help button provides for invoking various help functions for the WebBook. The help functions are in the form of text describing how to perform particular functions in the WebBook. The options button provides for specifying various operational parameters in the WebBook. An example is specifying the timing for flipping pages in the WebBook. The button labeled "Scan &lt;" provides for automatic scanning of pages to the lower numbered pages. The button labeled "Scan &gt;" provides for automatic scanning of pages to the higher numbered pages. Re-sizing boxes may be used to re-size the WebBook using a point and drag function. Finally, book edge areas are used to provide a visual indication of relative positioning within the book, e.g. the number of pages on that "side" of the book. The book edge areas will change in size as the pages are traversed. Also, the book edge areas may be used as a means for directly accessing pages in the book (e.g. mimicking the activity of thumbing through the book in groups of pages). This is accomplished by a point and click operation pointing to the edge; see col. 6, lines 15-67.

On page 5 of the remarks; Applicant argues that the combination of Robertson and Danneel do not teach or suggest "readable resolution for the readable parts and different resolution non-readable parts". However, the limitations as claimed set forth to broadly read on Robertson "the scaling of page contents on a page in a WebBook. The scaling of the contents of a page is useful in order to show as much textual data on the page as possible. The scaling of the present invention is not mere reduction of the image. It is akin to font scaling on a



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word processor which automatically fits as much text as possible on a line. As noted above scaling is user controlled through scaling bars that are provided in the WebBook. This is accomplished by a drag operation on the scale indicator. Referring to FIG. 14, the page 303 of FIG. 3 has been scaled as reflect by page so that more text can be placed on a line. More overall text is displayed. Scaling is accomplished by recalculating scaling factors for the font as the scaling scroll bar is moved. For each display step while the scaling scroll bar is moving, a new scaling factor is calculated and the text scaling performed. The scaling of the present invention operates like a word processor wherein it is desired to squeeze as much text onto a line as possible; see col. 9, lines 60-67 and col. 10, lines 1-14.

On pages 6 of the remarks the issues have been discussed as above.

### ***Conclusion***

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053.

The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Cao (Kevin) Nguyen  
Primary Examiner  
Art Unit 2173

04/15/05